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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/874,421

06/05/2001

William P. Lord

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05/04/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,421

Applicant(s)

LORD, WILLIAM P.

Examiner

Annan Q. Shang

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/23/06 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Blacketter et al (6,772,438)** in view of **Hull et al (2002/0056082)**.

As to claims 1-5, note the Blacketter reference figures 2-5, discloses method and apparatus for retrieving data from a broadcast signal and further discloses a method for recording a television program broadcast by a TV broadcaster and a web content communicated by a web server, the method comprising:

(Receiver 'R' 200) Receiving a request to record the television program selected by a user (col.4, lines 39-46), R-200 receives and stores TV program in storage 204;

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(Processor 'CPU' 230 commands Data Interface 'DI' 226 or Modem) establishing a web connection to the web server of the TV broadcaster (col.4, lines 12-19 and lines 43-67);

(CPU-230) downloading the web content responsive to the television program (col.4, lines 39-67 and col.5, lines 50-60); and

storing in a memory (Storage 204) the television and the downloaded web content (col.4, lines 39-67 and col.5, lines 50-60), the television program received via a first medium (Broadcast Signal 206) from the TV broadcaster and the downloaded web content received via a second medium (Communication link or Internet 212) from the web server and receiving a request to replay the stored TV program and replaying the stored TV program and simultaneously displaying the stored web content that is responsive to the TV program (col.3, line 54-col.4, line 19 and lines 20-67).

Blacketter fails to explicitly teach synchronizing for storing in a memory the TV program and the downloaded web content using timestamp, retrieving and replaying the stored TV program and the web content responsive to the web content responsive to the TV program in the synchronized manner

However, note the **Hull** reference figures techniques for receiving information during multimedia presentations and further discloses a presentation recorder Appliance 'PRA' 100, which receives multimedia presentation source and external source synchronizes for storage using time stamps within the received sources and retrieves for presentation to a user (page 2, [0031-0033], [0038-0041] and page 11, [0112-0115])

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Hull into the system of Blackketter to synchronize and store selected TV program and web content in a format for later retrieval or playback at anytime as desired or provide a personal archive of synchronized TV program and web content to allow anyone to review at a later time.

As to claim 6, Blackketter further discloses where the TV program is received from cable, satellite and antenna (col.4, lines 8-11)

As to claim 7, Blackketter further discloses where the TV broadcaster includes a proxy or unaffiliated entity providing an interactive capability between the user and the web of the TV broadcaster (col.4, lines 60-67).

As to claims 8-10, the claimed "a method for providing a synchronized replay of a television program and the corresponding web content..." is composed of the same structural elements that were discussed with respect to the rejection of claims 1-5.

Claim 11 is met as previously discussed with respect to claim 6.

Claim 12 is met as previously discussed with respect to claim 7.

As to claims 13-14 and 16, the claimed "an apparatus for providing a synchronized replay of a television program and the corresponding web content..." is composed of the same structural elements that were discussed with respect to the rejection of claims 1-5.

Claim 17 is met as previously discussed with respect to claim 6.

Response to Arguments

4. Applicant's arguments with respect to claims 1-14 and 16-17 are have been considered but are moot in view of the new ground(s) of rejection. The amendment to all the independent claims necessitated the new ground(s) of rejection discussed above. This office action is non-final.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ito et al (6,085,019) disclose apparatus and method for recording and reproducing video data to and from a recording medium.

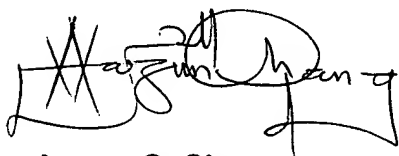
LaMacchia (6,393,198) disclose method and apparatus for synchronizing devices in an audio/video system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', written over a rectangular box.

Annan Q. Shang